

08CN07467-1

**REMARKS**

Claims 1, 2, 5-13, 16-21, and 23-33 are pending in the present Application. Claims 1, 7-13, 16, 18, 21, 24-26, and 30-33 have been amended, and claims 34 and 35 have been added, leaving Claims 1, 2, 5-13, 16-21, and 23-35 for consideration upon entry of the present Amendment. Support for the amendment to the claims can be found in the specification, particularly in the Examples, and claims as originally filed. No new matter has been introduced by these amendments. Reconsideration and allowance of the claims is respectfully requested in view of the above amendments and the following remarks.

**Claim Rejections Under 35 U.S.C. § 112, First Paragraph**

Claims 31 and 33 stand rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the Specification in such a way as to reasonably convey to one skilled in relevant art that the inventors, at the time the s was filed, had possession of the claimed invention. In making the rejection the Examiner has asserted that Claims 31 and 33 were directed to a blend of two materials and hence are not supported in the specification.

Applicants have amended the claims.

**Claim Rejections Under 35 U.S.C. § 103(a)**

Claims 1, 2, 5-7, 10-13, 16, 17, 19-21, and 24-33 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over U.S. Patent Application No. 2001/0031831 to Miyoshi et al. in view of U.S. Patent No. 4,011,200 to Yonemitsu et al. In particular the Examiner has stated that it would have been "obvious to use a PPE copolymer containing 2-50 wt% of 2,3,6-trimethyl-1,4-phenylene units (as per Yonemitsu et al.) for the copolymer described in Miyoshi et al." (Office Action dated April 4, 2003, page 4) Applicants respectfully traverse this rejection.

Miyoshi generally discloses compositions requiring polyphenylene ether, polyamide, an ethylene-alpha-olefin copolymer prepared using a single site catalyst, electroconductive filler, as well as an optional block copolymer. Miyoshi generally contemplates the use of a polyphenylene ether copolymer in paragraph 38. Miyoshi teaches in the examples and in the specification.

08CN07467-1

(paragraph 59) that the ethylene-alpha-olefin copolymer is, at least in part, modified with at least one alpha, beta-unsaturated dicarboxylic acid or derivative thereof. As readily understood by one of ordinary skill in the art, the modification of the ethylene-alpha-olefin copolymer is to improve the compatibility between the ethylene-alpha-olefin copolymer and the phases of the polyphenylene ether/polyamide blend. As mentioned to by the Examiner, Miyoshi does not teach the combination of SEBS and SEP impact modifiers. Yonemitsu et al. has been cited for its teaching with regard to the polyphenylene ether copolymer and does not, by itself, provide adequate basis for a *prima facie* case of obviousness.

The amended claims explicitly recite either a composition which is either free of an ethylene-alpha-olefin copolymer prepared using a single site catalyst that is at least partially modified with at least one alpha, beta-unsaturated dicarboxylic acid or derivative thereof or a composition that consists essentially of polyphenylene ether copolymer, polyamide, an electrically conductive filler and an impact modifier comprising a styrene-(ethylene-butylene)-styrene triblock copolymer, a styrene-(ethylene-propylene) diblock copolymer or a styrene-(ethylene-butylene)-styrene triblock copolymer and a styrene-(ethylene-propylene) diblock copolymer. Thus it is clear that the claimed compositions do not contain an ethylene-alpha-olefin copolymer prepared using a single site catalyst that is at least partially modified with at least one alpha, beta-unsaturated dicarboxylic acid or derivative thereof, a element required by Miyoshi et al. Yonemitsu et al. has been cited for its teaching with regard to polyphenylene ether copolymers and does not, by itself, provide adequate basis for a rejection under 35 U.S.C. § 103(a). Because Miyoshi et al. does not teach or suggest a compatibilized polyphenylene ether-polyamide composition that does not contain an ethylene-alpha-olefin copolymer prepared using a single site catalyst that is at least partially modified with at least one alpha, beta-unsaturated dicarboxylic acid or derivative thereof, the combination of Miyoshi et al. and Yonemitsu et al. does not form a *prima facie* case of obviousness for the amended claims.

Claims 1, 2, 5-7, 10-13, 16, 17, 19-21, and 24-33 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over EP 0 924 261 to Koevoets et al. in view of U.S. Patent No. 4,011,200 to Yonemitsu et al.

Koevoets et al. generally describe thermoplastic compositions comprising a compatibilized polyphenylene ether-polyamide resin blend which is modified with an impact modifier containing at

08CN07467-1

least moieties that are reactive with the polyamide resin. The preferred impact modifier is an alkylene-alkyl (meth)acrylate copolymer comprising at least two moieties selected from the group consisting of carboxylic acid, anhydride, epoxy, oxazoline, and orthoester.

The amended claims explicitly recite either a composition which is free of an alkylene-alkyl meth(acrylate) copolymer or a composition that consists essentially of polyphenylene ether copolymer, polyamide, an electrically conductive filler and an impact modifier comprising a styrene-(ethylene-butylene)-styrene triblock copolymer, a styrene-(ethylene-propylene) diblock copolymer or a styrene-(ethylene-butylene)-styrene triblock copolymer and a styrene-(ethylene-propylene) diblock copolymer. Thus it is clear that the claimed compositions do not contain an alkylene-alkyl meth(acrylate) copolymer, an element required by Koevoets et al. Yonemitsu et al. has been cited for its teaching with regard to polyphenylene ether copolymers and does not, by itself, provide adequate basis for a rejection under 35 U.S.C. § 103(a). Because Koevoets et al. does not teach or suggest a compatibilized polyphenylene ether-polyamide composition that does not contain an alkylene-alkyl meth(acrylate) copolymer, the combination of Koevoets et al. and Yonemitsu et al. does not form a *prima facie* case of obviousness for the amended claims.

Claims 8 and 9 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over U.S. Patent Application No. 2001/0031831 to Miyoshi et al. in view of U.S. Patent No. 4,011,200 to Yonemitsu et al. and further in view of U.S. Patent No. 6,528,572 to Patel et al. Miyoshi and Yonemitsu have been described above. Patel generally discloses a composition comprising polymeric resin, electrically conductive filler, and antistatic agents.

For reasons similar to those discussed above, the combination of Miyoshi et al., Yonemitsu et al. and Patel et al. do not provide adequate basis for a rejection under 35 U.S.C. § 103.

Claim 18 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Miyoshi in view of Yonemitsu and further in view of U.S. Pat. No. 6,277,907 to Gelbin. Miyoshi and Yonemitsu have been described above. Gelbin generally discloses a method for stabilizing a thermoplastic resin, which may also contain carbon black and/or glass, wherein the method comprises adding to the resin a stabilizing amount of at least one sterically hindered phenol

08CN07467-1

antioxidant, at least one secondary amine antioxidant and/or at least one N,N'-substituted oxamide antioxidant, and at least one thioether antioxidant.

For reasons similar to those presented above with regard to the combination of Miyoshi et al. and Yonemitsu et al., the combination of Miyoshi et al., Yonemitsu et al. and Gelbin does not provide adequate basis for a rejection under 35 U.S.C. §103.

Claim 23 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Miyoshi in view of Yonemitsu and further in view of U.S. Patent No. 6,221,283 to Dharmarajan et al. Miyoshi and Yonemitsu have been described above. Dharmarajan et al. has been cited for its teaching with regard to incorporating filler into a thermoplastic composition as part of a masterbatch. Applicants respectfully submit that the combination of Miyoshi et al., Yonemitsu et al. and Dharmarajan et al does not provide adequate basis for a rejection under 35 U.S.C. §103.

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance is requested.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 07-0862.

Respectfully submitted,

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